

# Working Extra Hours: Guidelines on Fitness to Practise and the Provision of Safe, Competent, Ethical Nursing Care

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## Purpose

Across Alberta, **REGISTRANTS**<sup>1</sup> in direct care, management, and other roles face increased requests and requirements to work **EXTRA HOURS**. Extra hours may take the form of planned or unplanned overtime, mandatory overtime, staying on after the end of a shift, or working extra shifts on scheduled days off or during vacation time. The following guidelines for registrants outline key factors for consideration in making decisions about requesting, requiring, or working extra hours. The guidelines aim to ensure the provision of safe, competent, and ethical nursing care.

The impact of fatigue arising from working extra hours on patient safety may include

- reduction of skillful anticipation and patient safety;
- diminished judgment, degraded decision-making, slowed reaction time and lack of concentration;
- increased clinical errors and failure to rescue;
- absenteeism;
- increased falling asleep when driving home; and
- interpersonal consequences, including decreased quality of interaction with colleagues and **CLIENTS**.

These guidelines are grounded in the *Practice Standards for Registrants* (College of Registered Nurses of Alberta [CRNA], 2023) and the *Code of Ethics for Registered Nurses* (Canadian Nurses Association [CNA], 2017).

All the CRNA documents can be found on the CRNA website at [www.nurses.ab.ca](http://www.nurses.ab.ca).

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<sup>1</sup> Words or phrases in **BOLD CAPITALS** upon first mention are defined in the glossary.

## Legislation

The *Health Professions Act* (HPA, 2000), the *Registered Nurses Profession Regulation* (Alta Reg 232/2005) and the CRNA standards of practice outline registrants' professional responsibilities and accountabilities. Registrants have a professional responsibility to ensure their own **FITNESS TO PRACTISE**. Furthermore, the HPA requires that all applicants for registration must, on the request of the Registrar, submit evidence respecting the applicant's fitness to practise.

Alberta's *Occupational Health and Safety Act* (2020), regulation and code set minimum standards for health, safety, and wellness in Alberta's workplaces. Registrants, whether employers or employees, need to meet the requirements outlined in the legislation, regulation, and code.

## Guidelines

### Guideline 1

When the potential for scheduling or working extra hours is either requested or required, the paramount duty is to protect the client's right to safe, competent, and ethical nursing care.

Registrants in direct care must balance the **DUTY TO PROVIDE CARE** for clients with an equal duty to ensure that they are fit to practise competently. This balance ensures the safety and quality of care for clients, and the safety of coworkers and themselves. Registrants in other roles (e.g., clinical educators, managers, administrators) share this responsibility with those working in direct care and should plan proactively to create quality practice environments. This could include implementing and supporting appropriate care delivery processes and workload management practices.

## Guideline 2

Each registrant is the best to judge and make their own decision of when they are fit to practice.

When deciding to work extra hours, registrants act on their ethical obligation to maintain fitness to practise (CNA, 2010). If asked or required to work extra hours, registrants should assess their level of fatigue, and their mental and physical ability to safely perform the essential functions of their role for the period of time that has been specified. If registrants judge that they can remain competent while remaining at work or working extra hours, the decision to continue working is professionally responsible and fulfils the duty to provide care. Registrants should let their employer know how long they can safely continue and ask that relief be provided by that time to ensure that they remain fit to practise in a competent manner.

## Guideline 3

When fatigue or other factors negatively affect registrants' fitness to practise safely, they have a right and a duty to withdraw from or refuse requests or requirements to work extra hours.

Registrants take responsibility for mitigating and managing fatigue while at work, including using professional approaches to decline work assignments (CNA, 2010). Registrants should explain the reasons for refusal to work extra hours to the employer and ask that other measures be taken to ensure adequate nursing coverage for safe client care. Registrants should also indicate how long they are able to stay while a replacement is found. If registrants are not at work at the time that the request or requirement for extra hours arises, they should indicate to the best of their ability when they feel they will be fit to return to work.

## Guideline 4

When registrants face requests or requirements to work extra hours that give rise to safety concerns for clients, coworkers, or themselves, they provide written documentation of their concerns to the employer.

Documentation is essential to address safety concerns. Registrants can identify and communicate those concerns to their employer following guidance from the CRNA and any employer requirements.

## Guideline 5

Registrants and employers share an ethical and legal responsibility to ensure that registrants are not required to, or do not voluntarily, work when they are fatigued and potentially unsafe to practice.

Some registrants may choose to voluntarily work extra hours. In making this decision, they must ensure that the working of extra hours does not impact their fitness to practise and must meet any expectations outlined in the *Occupational Health and Safety Act (2020)*.

## Guideline 6

Registrants in any role are ethically obliged to work together to address staffing shortages that threaten the safety of client care.

The long-term use of extra hours to meet the daily requirements for nursing coverage threatens client safety as well as the health of registrants and co-workers. Adequate staffing to meet the requirements for nursing care is a fundamental characteristic of safe care and of a healthy workplace. The long-term use of extra hours to provide adequate nursing coverage is an inadequate and ultimately detrimental solution to a deepening shortage of qualified nursing professionals.

## Glossary

**CLIENT** – The term client(s) can refer to patients, residents, families, groups, communities, and populations.

**DUTY TO PROVIDE CARE** – “Nurses have a professional duty and a legal obligation to provide persons receiving care with safe, competent, compassionate, and ethical care. There may be some circumstances in which it is acceptable for a nurse to withdraw from care provisions or to refuse to provide care” (CNA, 2017).

**EXTRA HOURS** – “The number of hours worked during the reference week in excess of the usual hours reported in the main job” (Statistics Canada, 2011). These additional hours of work may take the form of planned or unplanned overtime, mandatory overtime, staying on after the end of a shift, or working extra shifts on scheduled days off or during vacation time.

**FITNESS TO PRACTISE** – “All the qualities and capabilities of an individual relevant to their practise as a nurse, including but not limited to freedom from any cognitive, physical, psychological, or emotional condition, and dependence on alcohol or drugs that impairs their ability to practise nursing” (CNA, 2017).

**REGISTRANT(S)** – Includes registered nurses (RNs), graduate nurses, certified graduate nurses, nurse practitioners (NPs), graduate nurse practitioners, and RN or NP courtesy registrants on the CRNA registry.

## References

Canadian Nurses Association. (2017). *Code of ethics for registered nurses*. <https://www.cna-aiic.ca/en/nursing/regulated-nursing-in-canada/nursing-ethics>

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Statistics Canada. (2011). *Guide to the labour force survey*. <http://www.statcan.gc.ca/pub/71-543-g/71-543-g2011001-eng.pdf>